

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES	:	CRIMINAL NO. 04-507
v.	:	
JAMAL LEWIS		
JOSEPH WARING	:	
ANTHONY BAKER		
SHANNON JOHNSON		
JAIRU GREEN	:	

JOINT MOTION FOR CONTINUANCE

The United States of America, by its attorneys Patrick L. Meehan, United States Attorney for the Eastern District of Pennsylvania, and Jennifer J. Chun, Assistant United States Attorney, submits this joint motion for a continuance of the Speedy Trial date.

1. On or about August 26, 2004, all defendants were charged with conspiracy to commit Hobbs Act robbery, in violation of Title 18, United States Code, Section 1951. Defendants Jamal Lewis, Joseph Waring, and Anthony Baker were charged with Hobbs Act robbery and using a firearm during a crime of violence, in violation of Title 18, United States Code, Sections 1951 and 924(a)(1)(A). Defendant Jairu Green was charged with straw purchasing, in violation of Title 18, United States Code, Section 924(a)(1)(A).

2. The parties agree that they require additional time to respond to discovery and agree to a pre-trial disposition of the case.

3. The parties agree that the ends of justice served by granting a continuance in this matter outweigh the interests of the public and the defendants in a speedy trial. See 18 U.S.C. § 3161(h)(8)(A), (B)(i).

4. The parties request that the Speedy Trial date is continued.

Respectfully submitted,

PATRICK L. MEEHAN
United States Attorney

JENNIFER J. CHUN
Assistant United States Attorney

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ORDER

AND NOW, this ____ day of November, 2004, upon consideration of the government and defendants' joint Motion for a Continuance, it is hereby **ORDERED** that the motion is **GRANTED**.

The Court finds that the failure to grant the request to continue the date of the scheduled trial would be likely to result in a miscarriage of justice. The ends of justice served by granting a continuance in this matter outweigh the interests of the public and the defendants Jamal Lewis, Joseph Waring, Anthony Baker, Shannon Johnson, and Jairu Green in a speedy trial. See 18 U.S.C. § 3161(h)(8)(A), (B)(i). Moreover, the defendants waive their rights under the Speedy Trial Act. This continuance is granted in order to permit defense counsel "the reasonable time necessary for effective preparation" 18 U.S.C. § 3161(h)(8)(B)(iv), and for negotiation of a pre-trial disposition. The continuance is not granted because of general congestion of the court's calendar, or lack of diligent preparation or failure to obtain available witnesses on the part of the attorney for the government. See 18 U.S.C. § 3161(h)(8)(C).

Therefore, pursuant to 18 § 3161(h)(8)(A), it is hereby ORDERED that the Speedy Trial date in the above action is continued.

BY THE COURT:

R. BARCLAY SURRECK
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Joint Motion for a Continuance has been served by electronic filing and first-class mail upon:

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Date: 11/23/2004